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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,075	01/08/2004	Holger Hoppe	QIM 2002 P 50528 US	5426
48154	7590	11/21/2007		
SLATER & MATSIL LLP 17950 PRESTON ROAD SUITE 1000 DALLAS, TX 75252			EXAMINER ABRAMS, NEIL	
			ART UNIT 2839	PAPER NUMBER
			MAIL DATE 11/21/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/753,075

Applicant(s)

HOPPE, HOLGER

Examiner

Neil Abrams

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11-2-2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-5, 7-8, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harper in view of McDevitt.
2. Harper adapter 10 is applied as in last office action. Harper adapter lacks positioning pins. McDevitt figure 4 used such pins at 17. Obvious to include such pins in Harper to fix to adapter 10 to a pcb. Claim 1 limitations "wave shaped" as disclosed in spec to be readable on application figure 5A should also be readable on contact shapes of Harper at 115, 117, figure 6a. In addition should "wave-shaped" terms be read to require a "downward bend" of the contact end or tip, such feature is considered an obvious variation, since not asserted to produce any stated result. Claim 16 dimension deemed obvious design matter.
3. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Harper.
4. See last office action.
5. Harper contact ends lacks the claim 9 line 10, claim 15 "bent down ... direction" aspect.
6. The feature is treated as an obvious variation since no purpose for the feature is asserted. Claims 10-15 do not appear separately at issue and are included in the rejection.
7. Claims 1-5, 7-8, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge 362 in view of McDevitt, Harper, Neidich and Lapergolo.

8. Eldridge figure 11B includes a socket 1102 which may be used with wave shaped spring contacts figure 6B. Eldridge does not show positioning pins, spring contacts on both sides or a 45 degree feature. Spring contact on both sides of an adapter are taught as an option figures 12A, 12B, 14B, 17 etc end by Lapergolo, figures 1, 2. Positioning pins are used in McDevitt at 17. A 45 degree arrangement is taught by Harper, figure 1B and Neidich, figure 1. Obvious to use these in Eldridge, figure 11A; spring contacts on both sides to avoid solder use at the pcb connection, pins to locate the socket and 45 degrees for greater contact separation.
9. The rejection also applies Eldridge figure 18 device with adapter 1806; obvious to use, figure 6B type wave shaped contacts and 45 degree arrangement on this adapter for reasons noted above. Screws 1842, 1855 form positioning pins. Also obvious to use McDevitt type pins 17. Claims 2-5 define no structure features over Eldridge and/ or do not appear at issue.
10. Claims 9-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eldridge 362 in view of Harper, Neidich and Lapergolo.
11. Patents are applied as discussed above. Claims 12-13 screw and clamps terms met by Eldridge features 1150, 1152, 1842, 1855, figures 11A, and 11B. For claim 15, obvious the device is to be part of a testing system.
12. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over the references as applied to claims 9-15, directly above, and further in view of Eldridge 662.

13. Should the matter be at issue, also obvious to include Eldridge 362 figures 11A, 11B device in a test system in view of Eldridge 662, figure 7 this clearly being the intended manner of operation of Eldridge 362.

14. Applicant's arguments filed with the amendment have been fully considered but they are not persuasive.

15. For claim 1, "wave shape", if readable on application, contact, figure 5a should be readable on Harper contact 117. For claims 9, 15, "down bent" feature with no asserted function does not avoid Harper. In addition, Eldridge now applied for wave shaped feature. For 45 degree terms Harper and Neidich appear to depict such features. *Zhou, '254, see fig 13A, wave shaped contact end.*

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Neil Abrams
NEIL ABRAMS
PRIMARY EXAMINER
571-272-2089